

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

FILED

16 FEB 22 PM 2: 15

MICHAEL J. NEWMAN
UNITED STATES
DISTRICT COURT
JUDGE
3:15MJ386

IN THE MATTER OF THE SEARCH OF :

CASE NO. 15-15385
JUDGE

SEALED DOCUMENT

:

MOTION TO SEAL APPLICATION, SEARCH WARRANT,
SUPPORTING AFFIDAVIT AND RETURN

Now comes the United States Attorney and moves this Court, pursuant to Rule 16(d)(1) of the Federal Rules of Criminal Procedure, and the Court's inherent power to control papers filed with the Court, for a protective order sealing the Application, Search Warrant, Supporting Affidavit and Return.

In support of this Motion, the United States Attorney states:

1. A Search Warrant was issued on September 24, 2015.
2. That there is no Indictment or Information pending before any United States District Court which necessitates the disclosure of the Supporting Affidavit at this time.
3. Pursuant to Rule 12 of the Federal Rules of Criminal Procedure the proper time for moving to suppress evidence obtained pursuant to the search warrant is subsequent to the filing of an Indictment or Information and Arraignment thereon. Therefore, no prejudice would be caused to any defendant or potential defendant by the granting of this motion.
4. That the disclosure of certain information and statements contained in said documents would hamper an ongoing criminal investigation.

WHEREFORE, the United States of America respectfully requests that the Application, Search Warrant, Supporting Affidavit and Return be sealed and kept from public inspection further Order of the Court, or the expiration of 120 days, whichever comes first.

Respectfully submitted,

CARTER M. STEWART
United States Attorney

s/Alex R. Sistla

ALEX R. SISTLA (241760 CA)
Assistant United States Attorney
Attorney for Plaintiff
200 West Second Street, Suite 600
Dayton, Ohio 45402
Office: (937) 225-2910
Fax: (937) 225-2564
E-mail: Alex.Sistla@usdoj.gov